

Equality, Diversity & Anti-Discrimination Policy and Procedures

1. Introduction

- 1.1 The Foundation strives for high standards both as an employer and as a provider of services. In so doing it is recognised that the Foundation needs to encourage diversity and wholeheartedly support a Policy of equal opportunities in all areas of its work and responsibilities.
- 1.2 This policy provides guidance to enable all who work with or for the Foundation to comply with anti-discrimination legislation. The policy will also address anti-discrimination issues involving areas that currently fall outside any legislation.
- 1.3 Failure to follow the procedures in the policy may lead to disciplinary or other appropriate action.
- 1.4 The Foundation's Policy will be delivered through action planning, effective monitoring and a willingness to tackle problems where they arise. The Foundation is committed to reviewing this policy on an annual basis. Through training, publications, interaction with members and other activities, the Foundation will ensure those with whom it works know its Statements of Policy.
- 1.5 The Foundation will regularly review the implementation of its Equality and Diversity Policy. Where evidence is found of ineffectiveness, immediate remedial action will be taken to ensure implementation.

2. Definitions

- 2.1 **Equal Opportunities** ensures that policies, procedures and practice of the Foundation do not discriminate against the people within it. It is about treating people fairly and equally regardless of who they are, their background or their lifestyle.
- 2.2 **Diversity** ensures that all people are valued as individuals and are able to maximise their potential and contribution to the Foundation and to the community. It recognises that people from different backgrounds can bring fresh ideas and a different approach, which can make the way the Foundation works and learns more fun, more creative, more efficient and more innovative.
- 2.3 **Direct Discrimination** occurs when an individual is dealt with less favourably on the grounds of race, colour, nationality, ethnic or national origin or sex. Other grounds of discrimination include marital status or caring responsibility; sexual orientation; age; physical, sensory or learning disability; mental health; political or religious beliefs; class; HIV status; employment status; unrelated criminal convictions; union activities.
- 2.4 **Indirect Discrimination** occurs when a requirement or condition, which although it applies

equally to persons of all groups, is such that only a considerably smaller proportion of a particular group can comply with it. Examples: a rule about clothing that disproportionately disadvantages a racial group cannot be justified; requiring applicants to have British qualifications.

- 2.5 **Victimisation** occurs when an individual is treated less favourably because that person has asserted rights under the Sex Discrimination Act, the Race Relations Act or the Disability Discrimination Act or acted as a whistleblower on such activity. People must be able to act against unlawful discrimination without fear of reprisals.
- 2.6 **Harassment** means repeated, unreciprocated and unwelcome comments, looks, actions, suggestions or physical contact which is found objectionable and offensive and which might threaten an employee or participant or create an intimidating or uncomfortable environment. Harassment may be sexual, racial, directed against people with disabilities or indeed related to any characteristic exhibited by the individual.
- 2.7 **Positive Action** refers to measures taken to assist employees or learners who have been under-represented in specific areas, to reach a level of workplace knowledge and competencies that is comparable with 'representative' employees. These measures would normally take the form of additional training. 'Positive discrimination' at the point of selection for work is not permissible.

The Foundation urges staff, board member/trustees and volunteers to be aware of the less obvious types of discrimination which result from general assumptions and preconceptions about the capabilities, interests and characteristics of individuals.

3. Policy Statements

Diversity

- 3.1 The Foundation will actively encourage diversity to maximise achievement, creativity and good practice and to bring benefit to individuals and communities; encouraging grant application and donors from all sections of the community.
- 3.2 The Foundation encourages all people it works with and for in order to contribute to an environment in which people feel comfortable expressing how they feel and what they need, knowing that they will be treated with respect and that their contribution will be valued.
- 3.3 The way everyone works, trains and learns within the Foundation reflects both the Mission and Objectives of the Foundation and the spirit and intentions of legislation that outlaws discrimination and promotes equality and diversity.
- 3.4 The Foundation will make reasonable adjustments to working practices, equipment and premises and offer, where appropriate, additional support to board member/trustees, staff and volunteers to ensure they are able to take a full and active part in the Foundation's work.
- 3.5 The Foundation will endeavour to deliver services in a way that genuinely recognises the importance of an inclusive society that brings opportunities and access, not barriers to individuals.

Equal Opportunities

- 3.6 The Foundation is an equal opportunities employer and provider of services. No job applicant, employee, volunteer, board member/trustee, member or service user should receive less favourable treatment on the grounds of race, colour, nationality, ethnic or national origin; sex; marital status or caring responsibility; sexual orientation; age; physical, sensory or learning disability; mental health; political or religious beliefs; class; HIV status; employment status; unrelated criminal convictions; union activities. Nor will such a person be disadvantaged by conditions or requirements which cannot be shown to be justifiable. This principle applies to recruitment, promotion, transfer, training, benefits, facilities, procedures and all terms and conditions of employment.

4. Aims and Objectives

4.1 The aims and objectives of the Equality and Diversity Policy are:

- To encourage, promote and celebrate diversity in all the Foundations activities and services
- To ensure equal access to jobs and volunteer opportunities
- To ensure compliance with legislation on discrimination and equality
- To promote equal opportunities in other areas not currently covered by legislation.
- To create environments free from harassment and discrimination.
- To maximise the use of resources in the best interests of staff, volunteers and service users
- To confront and challenge discrimination where and whenever it arises whether it be between colleagues, or in any other area relating to the Foundation's work.
- To make a willingness to accept and implement this policy to be a necessary qualification for any position in the Foundation.
- To ensure, through positive action and so far as is practicable, that all the Foundation premises and services are accessible to all people
- To ensure that employment and advancement within the organisation is determined by objective criteria and personal merit.

5. Policy Implementations: Expectations

5.1 The Foundation recognises that passive policies do not provide equality and the Foundation will seek to promote equality and diversity within the following framework of responsibilities.

5.2 Responsibility for implementing and developing the Policy rests with the Board Members. The overall co-ordinating responsibility for equal opportunities and management of diversity is the Chief Executive. However, the Foundation believes that all who work with or for the organisation have an individual responsibility: to accept the policy and ensure a personal involvement in its application; to co-operate actively to ensure that the environment we desire is a reality. Therefore the Foundation expects individuals:

- to co-operate with measures introduced by the Foundation to ensure equality of opportunity, diversity and non-discrimination
- not to harass, abuse or intimidate any other employee or participant on the grounds of race, colour, nationality, ethnic or national origin; sex; marital status or caring responsibility; sexual orientation; age; physical, sensory or learning disability; mental health; political or religious beliefs; class; HIV status; employment status; unrelated criminal convictions; union activities
- to feel sufficiently confident to inform management if they suspect discrimination is taking place.

5.3 The Foundation expects its line managers:

- to ensure that proper records of employment decisions are maintained and regular reviews of employment practices are carried out
- to ensure that grievances are dealt with in a fair and consistent manner and in line with the Foundation's Staff Grievance Policy

- to ensure that individuals within their area are aware of their legal responsibilities, and the organisation's Equality and Diversity Policy
- to promote actively the benefits of employee and participant diversity, in employment, services and training.

5.4 The person with responsibility for Equality and Diversity will:

- support line managers, offer advice and make recommendations in relation to Equal Opportunities and Diversity and implementing relevant policies and procedures.
- ensure that managers and Equality and Diversity advisers are supported in their roles in regard to the Equality and Diversity Policy and Procedures.
- seek the views and opinions of employees, volunteers, customers and clients on the operation of the policy in his/her locality/area of responsibility, in particular to meet the diverse needs of the users.
- facilitate training and discussion on Equal Opportunities and Diversity issues as appropriate.
- ensure Board Members and managers are appraised regularly on the state of equal opportunities and diversity within the Foundation.
- ensure that the Equality and Diversity Policy and associated documents are reviewed on an annual basis.
- carry out an equality assessment of all policies, procedures and practices.

6. Policy Implementation: Recruitment and Promotion

- 6.1 The Foundation strives to ensure that Board Members, staff and volunteers reflect the wider community.
- 6.2 Clear and accurate information on vacant posts should be available through advertisement, job descriptions, person specifications and interview. Vacancies should be advertised sufficiently widely to reach the widest possible range of candidates, either internal and/or external.
- 6.3 All recruitment material should not imply any preferred group, unless a genuine occupational qualification exists limiting a post to a particular group.
- 6.4 Applicants will be informed, through all recruitment material of the Foundation's commitment to Equal Opportunities and Diversity and the existence of this policy.
- 6.5 Person specifications may include 'essential' and 'desirable' requirements that are necessary and justifiable. Care, and advice where necessary, is needed to ensure these are not discriminatory.
- 6.6 Staff and volunteers should be encouraged to discuss their development and training needs through a process of regular support and annual appraisals.
- 6.7 Job titles that are discriminatory should be avoided.

7. Policy Implementation: Interviews and Selection

- 7.1 The short listing panel will not select candidates on the basis of the gender, name, possible

disability or age of the candidate.

- 7.2 The interview panel must take extreme care not to ask discriminatory questions unrelated to the requirements of the job, eg race, colour, nationality, ethnic or national origin; sex; marital status or caring responsibility; sexual orientation; age; physical, sensory or learning disability; mental health; political or religious beliefs; class; HIV status; employment status; unrelated criminal convictions; union activities.

8. Policy Implementation: Training

- 8.1 In line with the intentions of this policy, the Foundation will not discriminate in the provision of training courses/opportunities wherever possible.
- 8.2 Appropriate training will be provided to enable board member/trustees, staff, volunteers and committee members to perform their jobs effectively. The training offered will take into account the needs of all people.
- 8.3 Briefing on this policy will form part of the Induction Procedure for board member/trustees, staff, volunteers and committee members

9. Enforcement

- 9.1 The Foundation recognises the need for a continuing commitment to genuine equal opportunities and diversity within the organisation. The effectiveness of the policy's aims and objectives can only be judged by how the policy operates in practice.

10. Policy Enforcement – Grievances

- 10.1 Any staff member or volunteer who feels a victim of unlawful discrimination or unfairly treated in a way contrary to the intention of this policy should raise the issue through the Foundation's established Staff Grievance Procedure.
- 10.2 Any service user who feels he/she has been unfairly treated in a way contrary to the intention of this policy should make a complaint through the Foundation's Chief Executive, who must report any such complaint to the Chief Executive.
- 10.3 Any job applicant who feels unfairly treated and contrary to the intention of this policy should raise the issue with the Chief Executive or the Chair of the Board.
- 10.4 All incidents of **direct discrimination** are disciplinary offences and will be dealt with under the Disciplinary Procedure.
- 10.5 Incidents of **indirect discrimination** will be investigated to determine whether they should be dealt with under the Disciplinary Procedure.
- 10.6 Incidents of **victimisation** or **harassment** will be dealt with in accordance with The Foundation's Harassment Procedure. Where incidents of victimisation and harassment are proven, the issue will be dealt with under the Foundation's Disciplinary Procedure.
- 10.7 The Foundation will not treat lightly or ignore grievances from members of disadvantaged

groups on the assumption that they are over-sensitive about discrimination.

11 Policy Enforcement – Disciplinary Procedure

- 11.1 Any member of staff found to be in breach of this policy will be subject to disciplinary action in accordance the disciplinary procedure.
- 11.2 Any volunteer found to be in breach of this policy will be counselled on his/her actions and may, where necessary, be removed from the Foundation’s volunteer register.
- 11.3 Any member of any committee or working group of the Foundation found in breach of this policy will be counselled on his/her actions and may, where necessary, be asked to leave the Foundation.
- 11.4 Any service user found in breach of this policy will, where appropriate, be counselled on his/her actions and may, where necessary, be referred back to their organisation or refused future services from the Foundation.

12. Monitoring

- 12.1 The Foundation view the collection/analysis of data is vital in informing change and improving performance. Where appropriate, statistics on the Foundation’s services will be collected and analysed in relation to equality and diversity matters. Employee turnover will be reviewed and information on reasons for leaving will be determined. Local and national data or statistics will be used to benchmark our performance.
- 12.2 The Board Members will review annually equality of opportunity relating to the Foundations services. Recruitment and selection procedures will be monitored and reviewed annually by the Chief Executive. All aspects of personnel policies and procedures shall be kept under review to ensure that they do not operate against the Equal Opportunities Policy.
- 12.3 In order to determine the impact of this policy it is important that a monitoring system be developed which will measure commitment, progress and effectiveness. The Diversity and Equality Policy will be monitored and reviewed as follows:
 - The Chief Executive will undertake an annual policy review. All relevant parties will be encouraged to submit comments for consideration.
 - The review recommendations will be presented to the next board member/trustee meeting for their comments and ratification.
- 12.4 Where it appears that there may have been or there is a breach of the policy, the Chief Executive will investigate the circumstances and action will be taken to counter any proven breach of policy.
- 12.5 If it is found that the policy is excluding or discouraging the development of board member/trustees, staff or volunteers or restricting service users, the Chief Executive should take positive action to re-adjust the policy.